



Docket No. MIT5021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lisa Donnelly et al.      Conf. No.      1928  
Serial No. : 10/673,737      Art Unit: 3732  
Filed : September 29, 2003      Examiner: David Comstock  
For : METHOD OF PERFORMING ANTERIOR CRUCIATE LIGAMENT  
RECONSTRUCTION USING BIODEGRADABLE INTERFERENCE  
SCREW

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 9, 2007

(Date of Deposit)

E. Richard Skula

(Name of applicant, assignee, or Registered Representative)

/E. Richard skula, Reg. No. 31,061/

(Signature)

January 9, 2007

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/MIT5021/ERS. This form is submitted in triplicate.

Respectfully submitted,

/E. Richard Skula, Reg. No. 31,061/

E. Richard Skula  
Reg. No. 31,061  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2718  
DATED: January 9, 2007



DOCKET NO. MIT5021US

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicant: Lisa Donnelly et al.

For : METHOD OF PERFORMING ANTERIOR CRUCIATE LIGAMENT  
RECONSTRUCTION USING BIODEGRADABLE INTERFERENCE  
SCREW

Express Mail Certificate

"Express Mail" mailing number: EV 139478240 US

Date of Deposit: January 9, 2007

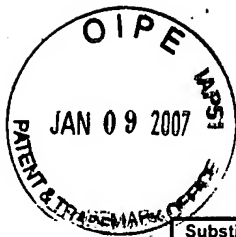
I hereby certify that this RCE, including Petition under 37 CFR 1.313 Withdrawal from Issue, IDS and Form 1449 and 2 references is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Laurie Phillips

(Typed or printed name of person mailing paper or fee)

/Laurie Phillips/

(Signature of person mailing paper or fee)



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/673,737
Filing Date	September 29, 2003
First Named Inventor	Donnelly et al.
Group Art Unit	3732
Examiner Name	David C. Comstock
Attorney Docket Number	MIT-5021

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,643,734	A	Lin	02-1987	
		4,645,503	A	Lin et al.	02-1987	
		5,108,755	A	Daniels et al.	04-1992	
		5,509,913	A	Yeo	04-1996	
		5,552,454	A	Kretschmann et al.	09-1996	
		5,679,723	A	Cooper et al.	10-1997	
		5,681,873	A	Norton et al.	10-1997	
		5,725,541	A	Anspach et al.	03-1998	
		5,747,390	A	Cooper et al.	05-1998	
		5,955,529	A	Imai et al.	09-1999	
		5,962,007	A	Cooper et al.	10-1999	
		5,971,987	A	Huxel et al.	10-1999	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		DE	27 42 128	A1	Strehl et al.	09/1977		
		WO	90/01342	A1	Kretschmann et al.	02/1990		
		WO	00/01426	A1	Brown	01/2000		

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. <sup>6</sup> If possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

<b>Application Number</b>	10/673,737
<b>Filing Date</b>	September 29, 2003
<b>First Named Inventor</b>	Donnelly et al.
<b>Group Art Unit</b>	3732
<b>Examiner Name</b>	David C. Comstock
<b>Attorney Docket Number</b>	MIT-5021

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		6,331,313	B1	Wong et al.	12-2001	
		2003/0040695	A1	Zhao et al.	02-2003	
		2003/0233095	A1	Urbanski et al.	12-2001	
		2004/0001890	A1	Rosenblatt et al.	09-2004	
		2004/0193285	A1	Roller et al.	09-2004	
		7,012,106	B2	Yuan et al.	03-14-2006	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. <sup>6</sup> If possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Substitute for form 1449A/PTO

(use as many sheets as necessary)  
Sheet 3 of 3

<i>Application Number</i>	10/673,737
<i>Filing Date</i>	September 29, 2003
<i>First Named Inventor</i>	Donnelly et al.
<i>Group Art Unit</i>	3732
<i>Examiner Name</i>	David C. Comstock
<i>Attorney Docket Number</i>	MIT-5021

[illegible]

Examiner Signature		Date Considered.	
-----------------------	--	---------------------	--

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

**DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.